

06-15-01

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EXPRESS MAIL CERTIFICATE

Date 6/14/01 Label No. 2706742901US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

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07278

PATENT TRADEMARK OFFICE

Docket No. 4110/1F080-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Akihiko NAGAI

For: VACUUM DEAERATION DEVICE

CONTINUATION-IN-PART APPLICATION

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

This is a request for filing under 37 C.F.R. 1.53(b) of a:

☒ Continuation ☐ Divisional

application of the following pending prior application:

Serial No. 09/303,980

Filed: May 3, 1999

Of: Akihiko NAGAI

For: VACUUM DEAERATION DEVICE

Examiner: H. Spitzer

Group:1724

1. ☒ Unexecuted Declaration and Power of Attorney
2. ☒ Communication Accompany CIP Application

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3. The filing fee is calculated below:

CLAIMS AS FILED, AFTER ACCOMPANYING AMENDMENT

| | Claims on File | Number Extra | Rate |
|--|-------------------|--------------|----------|
| Basic Fee | | | \$710.00 |
| Total Claims | 3 - 20 = | 0 x \$18 | \$0.00 |
| Independent Claims | 2 - 3 = | 0 x \$80 | \$0.00 |
| If Multiple Dependent Claims Are Present, Add \$270.00 | | | \$0.00 |
| Total Filing Fee | | | \$0.00 |
| For Small Entity (half of preceding total)* | | | \$355.00 |

*No. 9 below must be checked to claim this reduction.

4. A check in the amount of \$____ is enclosed.

5. ☐ Amend the specification as follows. On page 1, after the title, add the following paragraph (check one and fill in):

This is a ☐ continuation, ☐ division, of application Serial No. filed This prior applications is hereby incorporated herein by reference, in its entirety.

6. ☒ The prior application is assigned to: ERC., INC.

7. ☐ A Preliminary Amendment is also enclosed.

8. ☒ Drawings are filed herewith (Figs. 1&2; 1 sheet)

Docket No. 4110/1F080-US1

9. [X] Applicant claims small entity status

10. [X] Priority is claimed from
Country: JAPAN
Number: 10-287471
Date: October 9, 1998

The priority document

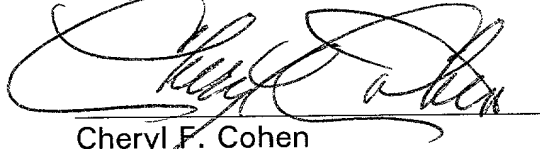
[X] was filed in the prior application
[] is enclosed.

11. The Assignment

[X] was recorded at Reel 9943 Frames 0209-0210 on May 3, 1999
[] is enclosed.

Date: June 14, 2001

Respectfully submitted,



Cheryl F. Cohen
Reg. No. 40,361

Attorney of Record in Prior Application

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022
212-527-7700

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Name

Signature

Docket No.: 4110/1F080-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Akihiko NAGAI

Serial No: (CIP application of
Serial No. 09/303,980)

Group Art Unit: 1724

Filed: Herewith

Examiner: Robert H. SPITZER

For: VACUUM DEAERATION DEVICE

COMMUNICATION
ACCOMPANY CIP APPLICATION

June 14, 2001

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

This CIP application is being filed in response to the Final Office Action
dated March 14, 2001.

CIP Application of U.S. Serial No. 09/303,980
in Response to 3/14/01 Final Office Action


Applicant wishes to thank the Examiner for the time and courtesy extended during the telephone interview conducted on May 14, 2001. During this interview a draft After Final Amendment was discussed. It was agreed upon by the Examiner, as recorded in the Telephone Interview Summary Record, that applicant could overcome the outstanding prior art rejection with respect to claim 4 by filing a continuation-in-part application to include an example in which the vacuum deaeration device was manufactured using a dispersion liquid that did not include any olefinic or aromatic substances. During the interview the Examiner also indicated that claim 6 contained new matter that was not supported by the disclosure, as originally filed. Applicant in this continuation-in-part application has amended the specification to include proper support for the claimed invention and to include an example of a device manufactured in accordance with the present invention.

Applicants submit that application and claims are now in condition for allowance and such action is requested. If for any reason, the Examiner should deem this application not to be in condition for allowance, it is respectfully requested that he telephone the undersigned attorney at the number listed below.

CIP Application of U.S. Serial No. 09/303,980
in Response to 3/14/01 Final Office Action

If any additional fees or charges are incurred in connection with the
above-identified matter, authorization is hereby provided to charge our U.S. Patent
and Trademark Office Deposit Account No. 04-0100.

Respectfully submitted,
DARBY & DARBY P.C.

By: 
Cheryl F. Cohen
Reg. No. 40,361
Attorney for Applicant

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New York, New York 10022
Tel. (212) 527-7700

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